

C1  
Canceled

18. (new) A fibroblast according to claim 17, wherein the muscle lineage commitment gene is MyoD.--

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**REMARKS**

Reconsideration is requested.

Claims 1-10 have been canceled, without prejudice.

Claims 11-18 have been added. Support for the amended claims may be found throughout the specification, including the originally-filed claims. No new matter has been added.

The claims have been amended to place the application in condition for allowance, in response to the Examiner's comments in the Office Action of September 26, 2002 (Paper No. 6). Specifically, the Examiner will appreciate that the amended claims are directed to the use of dermal fibroblasts wherein the high-efficiency DNA transfer method is defined as transduction with a vector selected from an adenovirus vector, a baculovirus vector and/or an adeno-associated viral vector. Moreover, the claimed method is now directed to a method of increasing the frequency of myogenic conversion, as discussed and previously considered by the Examiner. See, for example, page 3, line 15 and page 5, line 1 and page 5, last two lines of Paper No. 6. The claims have been amended therefore with the Examiner's comments in mind and are not believed to raise new issues which would require further search and/or consideration. Entry of the above is requested.

**MAVILIO**

Serial No. **09/674,853**

The Section 103 rejection of claims 1-10 over WO 96/09373 (Watt et al) in view of Choi (1990 PNAS, Vol. 87, 7988-7992) and Murry (1995, FASEB, Vol. 9, No. 4, A883) will be moot upon entry of the above amendments. The above claims 11-18 are submitted to be patentable over the cited art for the reasons of record. See, pages 2-5 of the applicants' Amendment of July 1, 2002.

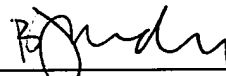
Entry of the above and a Notice of Allowance are requested, along with an initialed copy of the PTO 1449 Form filed November 7, 2000, a separate request for which was included in the Amendment of July 1, 2002.

The Examiner is requested to contact the undersigned in the event anything further is required.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



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